

## **REMARKS**

### **Status of the Application**

This is in response to the Notice of Non-Compliant Amendment mailed September 22, 2006 to which a timely response was due October 22, 2006. With extensions of time being available under 37 C.F.R. §1.136(a) because the non-compliant amendment is a non-final amendment, the final deadline for response to the Notice was March 22, 2007. However, through error and without deceptive intent, a response was not filed to the Notice within the period for reply or within the available extension period causing this application to become unintentionally abandoned on March 23, 2007. Submitted herewith is Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. §1.137(b) along with the appropriate Petition Fee for a Small Entity.

### **Status of the Claims**

Claims 1-7 are pending; Claims 8-20 have been withdrawn pursuant to Applicant's provisional election on May 11, 2006, with traverse, to prosecute the invention of Group 1; Claim 4 has been canceled, and new Claims 21-25 have been added for consideration.

### **Remarks in Response to the Notice of Non-Compliant Amendment Mailed September 22, 2006 and to the Non-Final Office Action Mailed May 18, 2006**

In response to the Notice of Non-Compliant Amendment, Applicant submits an amendment to the Claims, including a complete recitation of the text of Claims 8-20, which Applicant withdrew on May 11, 2006, with traverse, as being drawn to a non-elected invention. In so doing, Applicant respectfully submits that the bases for the Notice have been overcome.

Entry and consideration of the Amendment to the Claims, and allowance of Claims 1-3, 5-7, and 21-25, is respectfully requested.

In response to the Non-Final Office Action mailed May 18, 2006, Applicant confirms the election of Claims 1 – 7 with traverse of the restriction requirement on the grounds that the apparatus Claims 8 – 20 are generally co-extensive with the method claims and claim an apparatus for carrying out the method of Claims 1 – 7.

The Examiner's rejection of Claims 1 – 7 under 35 U.S.C. §102 for being anticipated by U.S. Published Patent application no. 2004/0011457 to Kobayashi et al., as hereby traversed in view of amended Claim 1.

In particular, the Office Action refers to paragraphs [0041] and [0074] in Kobayashi et al. as disclosing Applicant's invention. However, neither of these paragraphs discloses an arrangement of UV LED chips in staggered rows. Instead, Kobayashi et al. merely discloses that light-emitting semiconductor elements may be "arranged in the shape of a spiral, concentric circles or polygon, or are arranged randomly" ([0041]) or that "light-emitting diodes 7a may be arranged randomly in close proximity, [and] are preferably arranged in the shape of concentric circles or a spiral." ([0047])

By contrast, Claim 1 has been amended to call for: an array of UV-LED chips arranged in staggered rows on and mounted to a panel such that the UV LED chips in one row are adjacent spaces between UV LED chips in an adjacent row on the panel. Applicant respectfully submits that Kobayashi et al. neither teaches nor discloses a staggered arrangement of UV LED chips.

Reconsideration and withdrawal of the rejection of Claim 1, and allowance thereto, is respectfully requested.

Insofar as Claims 2-3, and 5-7 each depend from independent Claim 1, which itself should be allowable, Claims 2-3, and 5-7 should also be deemed allowable. Reconsideration and withdrawal of the rejections of these dependent claims is respectfully requested.

Applicant also submits new dependent Claims 21 – 25 for consideration. New Claim 21 calls for one row of the staggered rows to contain LED chips that emit light in the visible spectrum so a user can quickly determine if power is being delivered to the LED chips. New Claims 22 – 25 cover the provision of UV LED chips that emit UV light at different wavelengths, as well as the positioning of the UV LED chips having different wavelength emissions in alternate rows of the staggered rows, or interspersed in the staggered rows of UV LED chips.

Support for the features and/or elements in new Claims 21-25 are found in the parent application, serial no. 10/386,980, beginning at [0053] of the published application, which supportive text from that application is presently being added to the subject application. Applicant submits that new Claims 21-25 patentably distinguish over the Kobayashi et al. reference and all other prior art references known to applicant. Consideration and allowance of these claims is respectfully requested.

Enclosed herewith is Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. §1.137(b) and a Petition for a Five Month Extension of Time under 37 C.F.R. §1.136(a). Applicant authorizes the Office to charge the

small entity Petition Fee for revival of the application, the small entity Extension of Time fee, and any fee deficiencies, or credit any overpayments, to Deposit Account No. 502261.

The Examiner is invited to contact the undersigned if the Examiner feels a telephonic conference would expedite the allowance of the present application.

Respectfully submitted,

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